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E.O. 12958: N/A
TAGS: [ELAB](#) [EIND](#) [ETRD](#) [PHUM](#) [SOCI](#) [TD](#)
SUBJECT: CHILD LABOR REPORT FOR TRINIDAD AND TOBAGO

REF: STATE 00131997; 09 PORT OF SPAIN 26

11. (SBU) This cable contains responses per ref A to 1/TVPRA and 2/TDA in order to provide updated information concerning child labor in the Republic of Trinidad and Tobago (TT) as required under the Trade and Development Act (TDA). We believe that the incidence of children exploited for labor is not significant in TT and that the government has tried to address any minimal lingering problems, such as children working in the informal agriculture sector or in domestic employment, even as the labor inspections unit appears overtaxed and understaffed.

12. (SBU) TASKING 1/TVPRA

1A) GOOD: None.

1B) TYPE OF EXPLOITATION FOUND IN THE PRODUCTION OF THE GOOD:

None.

1C) SOURCES OF INFORMATION AND YEARS:

Interviews by conducted by Post of GOTT officials and local NGO's, and a review of press and publicly available documentation covering calendar year 2009.

1D) NARRATIVE DESCRIPTION:

There is no known use of forced or exploitive labor to produce goods in TT.

1E) PREVALENCE: None.

13. (SBU) TASKING 2/TDA

2A) PREVALENCE AND SECTORAL DISTRIBUTION OF EXPLOITATIVE CHILD LABOR

1. In what sectors (not related to the production of goods) were children involved in exploitive labor (such as domestic service, street vending, and/or child prostitution)?

There was no significant evidence of children involved in exploitive labor in TT, but it is believed that some children were engaged in the informal agriculture sector and as domestic workers in capacities contrary to national law. A representative from the Ministry of Labor commented that most instances of child labor are the result of underlying social problems such as poverty, homelessness, and a lack of guardians.

2. Posts are requested to determine if the government collected or published data on exploitive child labor during the period, and if so, whether the government would provide the data set to DOL for further analysis.

The government did not collect data on exploitive child labor during the reporting period.

2B) LAWS AND REGULATIONS

1. What new laws or regulations were enacted in regard to exploitive child labor over the past year? If applicable, were the changes improvements in the legal and regulatory framework?

The government did not pass any new laws or regulations regarding exploitive child labor during the reporting period.

2. Was the country/territory's legal and regulatory framework adequate for addressing exploitive child labor? Examples of indicators of an inadequate framework include instances in which children have been found working in hazardous conditions, but the sector in which they were working is exempted from minimum age laws; cases in which boys are being exploited as prostitutes, but the law only prohibits female prostitution; or cases in which there are prohibitions against exploitive child labor, but penalties are too weak to serve as deterrents.

TT's legal and regulatory framework is relatively extensive regarding the protection of children against exploitive labor. Children under the age of 14 are allowed to work only in family businesses, and it is a crime to employ any child under the age of 12. Minors between the ages of 16 and 18 are allowed to work at night only in very limited circumstances historically linked to the sugar industry, which has all but disappeared in Trinidad and Tobago.

The Minimum Age Act of 2007 updated worker recruitment regulations to limit the recruitment for employment of minors between the ages of 14 and 18.

The Sexual Offences Act protects children from all forms of sexual abuse including being exploited as prostitutes or being present in

brothels. Other laws protect children from hazardous conditions by holding adults criminally liable for placing children in certain dangerous circumstances and for inducing or allowing children to beg or perform for money on the street.

2C) INSTITUTIONS AND MECHANISMS FOR ENFORCEMENT

11. What agency or agencies was/were responsible for the enforcement of laws relating to hazardous child/forced child labor?

The Ministry of Labor and Small and Micro-Enterprise, through the Occupational Safety and Health Authority, is responsible for matters relating to hazardous child labor. The Ministry of Labor and Small and Micro-Enterprise and the Ministry of Social Development are responsible for enforcing laws relating to forced child labor.

12. If multiple agencies were responsible for enforcement, were there mechanisms for exchanging information? Assess their effectiveness.

Complicated procedural bureaucracies and overtaxed agencies slow or impede investigations.

13. Did the country/territory maintain a mechanism for making complaints about hazardous and forced child labor violations? If so, how many complaints were received in the reporting period?

The Ministry of Labor and Small and Micro-Enterprise oversees a mechanism to take and investigate complaints about hazardous and forced child labor violations and to sanction employers of children. There were no complaints during the reporting period.

14. What amount of funding was provided to agencies responsible for inspections? Was this amount adequate? Did inspectors have sufficient office facilities, transportation, fuel, and other necessities to carry out inspections?

The Ministry of Labor and Small and Micro-Enterprise received a general budgetary allocation for daily operations of all labor-related inspections, and thus, we cannot judge the effectiveness of recurrent expenditures specifically for child labor cases. Additionally, some USD 83,000 was granted to the Labor Inspectorate Unit for public awareness campaigns and training of inspectors on child labor issues. The Cipriani Labor College provided training to improve the efficiency of inspectors in detecting instances of child labor.

15. How many inspectors did the government employ? Was the number of inspectors adequate?

The Labor Inspectorate Unit employed 19 inspectors for all labor-related investigations. The Unit tried to address child labor issues through its overall enforcement efforts and through informational booklets that highlight the legal requirements for

employment, employers' obligations, and breaches associated with child labor.

¶6. How many inspections involving child labor were carried out? If possible, please provide breakdown of complaint-driven versus random, government-initiated inspections. Were inspections carried out in sectors in which children work? Was the number of inspections adequate?

During the reporting period, 1,236 labor-related inspections were conducted across all sectors of the economy, including an unrecorded number of child labor complaints, but no child labor cases were identified.

¶7. How many children were removed/assisted as a result of inspections? Were these children actually provided or referred for services as a result (as opposed to simply fired)?

During the reporting period no child labor investigations resulted in fines, penalties, or convictions.

¶8. How many child labor cases or "prosecutions" were opened?

None.

¶9. How many child labor cases were closed or resolved?

None.

¶10. How many violations were found or "convictions" reached?

None.

¶11. What is the average length of time it took to resolve child labor cases?

No cases have been identified to determine the length of time needed to resolve child labor cases.

¶12. In cases in which violations were found, were penalties actually applied, either through fines paid or jail sentence served? Did such sentences meet penalties established in the law?

No cases found.

¶13. Did the experience regarding questions 7 through 10 above reflect a commitment to combat exploitive child labor?

Yes. The government seems committed to combating exploitive child labor even if its labor inspection services are generally overburdened and under-resourced, and government agents are confident that there is very little exploitive child labor taking place in the country.

¶14. Did government offer any training for investigators or others responsible for enforcement? If so, what (if any) impact have these trainings had?

Yes, training is ongoing. Several informational booklets were distributed as a guide for both employers and employees regarding rights and responsibilities including laws governing child labor. Also, inspectors were trained on the prosecutorial process. Other training was conducted by the Cipriani Labor College and the International Organization for Migration (IOM) also conducted training on forced child labor.

2D) INSTITUTIONAL MECHANISMS FOR EFFECTIVE ENFORCEMENT

¶1. Did the country/territory have agencies or personnel dedicated to enforcement of child trafficking/CSEC/use of children in illicit activities?

In July, the Ministry of National Security established a Multi-Agency Task Force to implement a nine-month plan to prevent trafficking in Trinidad and Tobago. The Task force is responsible for implementing and systematizing a referral process to identify and assist victims, establishing a hotline to field calls pertaining to trafficking and to conduct a nation-wide information campaign using IOM materials. The Task Force consists of the Ministry of National Security, the Ministry of Foreign Affairs, the

Ministry of Community Development, the Ministry of Social Development, the Office of the Attorney General, the Ministry of Labor, the Ministry of Health, non-governmental and faith-based organizations, and the IOM.

¶2. How many investigators/social workers/dedicated police officers did the government employ to conduct investigations? If there were no dedicated agencies or personnel, provide an estimate of the number of people who were responsible for such investigations. Was the number of investigators adequate?

The government has not dedicated personnel specifically to conduct child labor or exploitation investigations.

¶3. How much funding was provided to agencies responsible for investigating child trafficking/CSEC/use of children in illicit activities? Was this amount adequate? Did investigators have sufficient office facilities, transportation, fuel, and other necessities to carry out investigations?

Funding for such activities was not disaggregated from overall law enforcement and labor inspection budgets; thus, it is difficult to judge the adequacy of such funding.

¶4. Did the country/territory maintain a hotline or other mechanism

for reporting child trafficking/CSEC/use of children in illicit activities violations? If so, how many complaints were received in the reporting period?

The Multi-Agency Task Force has not established a hotline for reporting cases of child trafficking. The NGO Coalition Against Domestic Violence, however, established a Child-Line so that children in distress have an avenue to access help and support. The coalition did not report the number of calls it received.

¶15. How many investigations were opened in regard to child trafficking/CSEC/use of children in illicit activities? Was the number of investigations adequate?

No cases were opened.

¶16. How many children were rescued as a result?

No children were rescued during the reporting period.

¶17. How many arrests were made or other kinds of prosecutions carried out?

None.

¶18. How many cases were closed or resolved?

None.

¶19. How many convictions?

None.

¶10. Did sentences imposed meet standards established in the legal framework?

N/A

¶11. Were sentences imposed actually served?

N/A

¶12. What is the average length of time it takes to resolve cases of child trafficking/CSEC/use of children in illicit activities?

No cases opened.

¶13. Did the government offer any training for investigators or others responsible for enforcement of child trafficking/ CSEC/use of children in illicit activities? If so, what was the impact (if any) of these trainings?

We are not aware of specific training programs in these areas in calendar year 2009, but more than 400 government officers in various agencies received training to detect and investigate potential human-trafficking in 2007 and 2008, the skills from which they were expected to be deployed in 2009.

¶14. If the country/territory experienced armed conflict during the reporting period or in the recent past involving the use of child soldiers, what actions were taken to penalize those responsible? Were these actions adequate or meaningful given the situation?

TT experienced no armed conflict during the reporting period.

2E) GOVERNMENT POLICIES ON CHILD LABOR

¶1. Did the government have a policy or plan that specifically addresses exploitive child labor? Please describe. (Please note that DOL will not consider anti-poverty, education or other general child welfare policies to be addressing exploitive child labor unless they have a child labor component.)

Yes. Part of the Ministry of Social Development's National Plan of Action for Children (2006-2010) specifically addresses the issue of exploitive child labor.

¶2. Did the country/territory incorporate exploitive child labor specifically as an issue to be addressed in poverty reduction, development, educational or other social policies, such as Poverty Reduction Strategy Papers, etc? Please describe.

The Public Sector Investment Program was granted funding for a period covering 2009 and 2010. The program is designed to create a comprehensive public awareness campaign focusing on Child Labor using data collected from a survey of youth aged 5 - 18. The data from the survey will also inform the creation of a National Plan of Action on Child Labor.

¶3. Did the government provide funding to the plans described above? Please describe the amount and whether it was sufficient to carry out the planned activities.

The Public Sector Investment Program was given roughly USD 167,000.

¶4. Did the government provide non-monetary support to child labor plans? Please describe.

The Ministry of Labor and Small and Micro Enterprise participated in the ILO's World Day Against Child Labor and engaged the media to share information and raise awareness.

15. Provide any additional information about the status and effectiveness of the government's policies or plans during the reporting period in regard to exploitive child labor.

None.

16. Did the government participate in any commissions or task forces regarding exploitive child labor? Was the commission active and/or effective?

Nothing of note.

17. Did the government sign a bilateral, regional or international agreement to combat trafficking?

No.

2F) SOCIAL PROGRAMS TO ELIMINATE OR PREVENT CHILD LABOR:

1. Did the government implement any programs specifically to address the worst forms of child labor? Please describe. (Please note that DOL will not consider anti-poverty, education or other general child welfare programs to be addressing exploitive child labor unless they have a child labor component.)

No.

2. Did the country/territory incorporate child labor specifically as an issue to be addressed in poverty reduction, development, educational or other social programs, such as conditional cash transfer programs or eligibility for school meals, etc? Please describe.

Yes, the 2006 - 2010 National Plan of Action specifically addresses child labor and its relationship to poverty. The plan determined that children living in poverty could be exploited in the workplace.

3. Did the government provide funding to the programs described above? Please describe amount and whether it was sufficient to carry out the planned activities.

The Ministry of Social Development and the Ministry of Education both received general budgetary allocations from which specific programming in this area is not easily defined.

4. Did the government provide non-monetary support to child labor programs? Please describe.

The Ministry of Labor and Small and Micro Enterprise Development contracted with an NGO to provide intervention, rehabilitation, and reintegration services to children who scavenged at landfills.

15. Provide any additional information about the status and effectiveness of the government's activities during the reporting period in relation to the programs described above. If the programs involved government provision of social services to children at risk of or involved in exploitive child labor, please describe and assess the effectiveness of these services.

The government established the Children's Authority which is headed by a former Justice. The organization's mission is to protect children and prevent their exploitation.

16. If the government signed one or more bilateral, regional or international agreement/s to combat trafficking, what steps did it take to implement such agreement/s? Did the agreement/s result in tangible improvements? If so, please describe.

None.

2G) CONTINUAL PROGRESS:

11. Considering the information provided to the questions above, please provide an assessment of whether, overall, the government made progress in regard to combating exploitive child labor during the reporting period. In making this assessment, please indicate whether there has been an increase or decrease from previous years in inspections/investigations, prosecutions, and convictions; funding for child labor elimination policies and programs; and any other relevant indicators of government commitment.

The government perceives what it describes as a low incidence of exploitive child labor practices in Trinidad and Tobago as a symptom of social problems stemming from poverty, and intervenes through limited inspections/investigations, awareness campaigns, and social programs to keep vulnerable youth off of the streets.

Government representatives recognize that some children are involved in the sex trade and also scavenge for re-sellable items in landfills, however there is no tracking system to determine the actual number of children at risk, estimated to be quite small. Media and business leaders agree that this number is minimal. Children housed in the three youth-focused homeless shelters, nonetheless, share stories of participating in such activities.

While children are not widely used as labor by formal companies, the government also recognizes that some children sell goods on the informal market and may perform domestic services to support themselves. The government points to a lack of human resources and

social programming as challenges to address the conditions that allow for exploitive practices, but insists it is actively working to improve the situation.

Kusnitz